

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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MOTOROLA, INC., a Delaware Corporation,

Plaintiff / Counterclaim Defendant,

v.

LEMKO CORPORATION, an Illinois Corporation,  
and XIAOHONG SHENG, an individual,

Defendants / Counterclaim Plaintiffs,

SHAOWEI PAN, an individual, HANJUAN JIN, an  
individual, XIAOHUA WU, an individual, and  
XUEFENG BAI, an individual,

Defendants.

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Case No. 08 CV 5427

Judge Matthew F. Kennelly

Magistrate Judge Geraldine  
Soat Brown

**PLAINTIFF'S THIRD MOTION TO COMPEL DISCOVERY  
FROM DEFENDANTS LEMKO, SHENG, PAN, WU AND BAI**

Plaintiff has re-noticed its Motion to Compel dated October 2, 2009 (Dkt. 231), seeking an order compelling production of certain documents from Lemko, Sheng, Pan, Wu, and Bai.<sup>1</sup> In addition to the requests for production addressed in that motion to compel, Plaintiff brings this (third) motion to compel production of several additional categories of information that have also not been produced. As more fully explained in the Memorandum submitted herewith, Plaintiff requests that this Court order the immediate production of the following information and

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<sup>1</sup> Plaintiff's October 2<sup>nd</sup> motion was continued by this Court. *See* Dkt. 241. Defendants have produced no further information responsive to the discovery requests that are the subject matter of Plaintiff's October 2<sup>nd</sup> motion. Accordingly, Plaintiff is filing a re-notice of the October 2<sup>nd</sup> motion contemporaneously with the filing of this third motion to compel.

materials, each of which have been the subject of discovery requests outstanding since as early as April, 2009:

- § Lemko's "bug logs" (Request No. 6 to Lemko).
- § Lemko's email logs (Request No. 7 to Lemko).
- § Lemko's "MySQL" database (Request No. 8 to Lemko).
- § Communications with Network Solutions regarding the Lemko website [www.lemko.com](http://www.lemko.com) and email system (Request No. 9 to Lemko).
- § Documents regarding Lemko's activities in China and India (Request No. 12 to Lemko).
- § Identification of any and all Motorola property in the possession of any individual defendant, as of the last date of their employment with Motorola (Interrogatory No. 5 to each individual defendant).

For each of the reasons stated in that memorandum, Plaintiff respectfully requests that this Court grant its motion and compel the Individual Defendants to fully respond to Interrogatory No. 5 and (b) compel Defendant Lemko to respond fully to Requests Nos. 6-9 and 12, as described in this motion.

Date: February 8, 2010

Respectfully submitted,

/s/ R. Mark Halligan

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